

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL ACTION NO. 3:19-CV-00008-GCM**

<b>SCHLETTER INC.,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	<b><u>ORDER</u></b>
	)	
<b>GAYK NORTH AMERICA INC.,</b>	)	
	)	
<b>Defendants.</b>	)	
_____	)	

**THIS MATTER** is set for a Show Cause Hearing today to allow Gayk North America, Inc. (“Gayk NA”) and its President, Mr. Carl Otsuki to show why they should not be held in criminal contempt. The Court received a letter from Mr. Otsuki yesterday that stated Mr. Otsuki would not appear at today’s hearing due to the financial hardship associated with travel from California to North Carolina. As a result of this letter, the Court will cancel today’s hearing. The Clerk is directed to upload the letter from Mr. Otsuki to CM-ECF.

In lieu of the Show Cause Hearing, the Court directs Mr. Otsuki to contact Judge Whitley’s chambers in writing within forty-five (45) days of this Order to facilitate purging Mr. Otsuki and Gayk NA’s civil contempt. If Mr. Otsuki and Gayk NA successfully purge their civil contempt within forty-five days, the Court will not refer this matter to the United States Attorney’s Office for prosecution of criminal contempt. If, however, Mr. Otsuki and Gayk NA fail to purge their civil contempt or fail to make significant progress toward that goal, the Court will refer this matter to the United States Attorney for prosecution. Mr. Otsuki and Gayk NA are directed to file a written status report with this Court detailing their progress in purging their Bankruptcy Court civil contempt by May 24, 2019.

The Clerk is directed to mail a copy of this Order to Mr. Otsuki at the following address:

Carl Otsuki  
4460 Redwood Hwy  
Suite 16-248  
San Rafael, CA 94903.

**SO ORDERED.**

Signed: April 9, 2019

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
United States District Judge

